



DEVICE FILTER AMENDMENTS



INAPPROPRIATE ONLINE CONTENT

This bill is in recognition of the harm to minors of online pornography found on the internet and to empower parents and legal guardians to limit a minor's exposure to such online harmful material.



FINDINGS

- The government has a compelling interest in protecting minors from harmful sexually explicit material generally referred to as pornography.
- The Supreme Court has held that sexually explicit material deemed “harmful to minors” can be proscribed for minors so long as adults retain reasonable access to such material.
- Due to the nature of today’s expansive technology that is used both inside and outside of the home, filters provided by home wireless networks or mobile carriers alone do not allow parents or guardians of minors to effectively filter what their children have access to. Additionally, the use of mobile data on cellular devices has further complicated parental oversight on their children’s online activity.



Enabling the use of blocking and filtering software built into devices by manufacturers is an alternative that is less restrictive and more effective as a means of protecting minors than other legislative efforts.

The Supreme Court has held that Congress may act to encourage the use of filters by parents and can take steps to promote their development by the technology industry. Thus, by enacting programs to promote use of filtering software, Congress gives parents and legal guardians the ability to determine what content their children should see without subjecting protected speech to severe penalties.



This bill requires a device designed and manufactured for distribution in the state to contain a default active filter capable of blocking material that is harmful to minors.

Most devices have filters capable of blocking harmful material but generally these filters come turned off.

This bill requires that the device comes with the filter turned on.

Information describing how to turn the filter off will be given to a parent or an adult user.



QUESTIONS